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(TAMUS 1910)

PATENT APPLICATION
10/751,612



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: T. Erik Mirkov et al.
Serial No.: 10/751,612
Filing Date: January 5, 2004
Group Art Unit: 1638
Examiner: Unassigned
Confirmation No.: 2393
Title: *Stem-Regulated, Plant Defense Promoter and Uses Thereof in Tissue-Specific Expression in Monocots*

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this communication and attached documents are being deposited with the United States Postal Service as Express Mail No. **EV351288200US** addressed to: Mail Stop Missing Parts, Commissioner for Patents, Arlington VA, 22313-1450 on September 14, 2004.



Angela Loding

PRELIMINARY AMENDMENT AND SUBMISSION OF SEQUENCE LISTING

Dear Sir:

This paper is being filed in response to the Notice to File Missing Parts of NonProvisional Application dated July 16, 2004 that was issued in connection with the above-identified patent application. Applicants respectfully request reconsideration of the instant application in view of the amendments and remarks presented herein.

Amendments to the Sequence Listing begin on page 2 of this paper.

Amendments to the Specification begin on page 3 of this paper.

Remarks begin on page 5 of this paper.

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IN THE SEQUENCE LISTING

**Please append the Sequence Listing enclosed herewith to the description
of the instant application.**